

118TH CONGRESS
1ST SESSION

H. R. 432

To lower consumer fuel prices, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 20, 2023

Mr. PALLONE (for himself, Ms. KUSTER, Mr. TRONE, Ms. SPANBERGER, Ms. CRAIG, and Mr. CROW) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Oversight and Accountability, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To lower consumer fuel prices, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Buy Low and Sell High Act”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—PETROLEUM RESERVES

Sec. 101. Economic Petroleum Reserve.

Sec. 102. Establishing Strategic Refined Petroleum Product Reserves.

- Sec. 103. Northeast Home Heating Oil Reserve.
- Sec. 104. SPR Petroleum Account.
- Sec. 105. Prohibition on certain exports.
- Sec. 106. Strategic Petroleum Reserve reforms.
- Sec. 107. Strategic Petroleum Reserve drawdown and sale.
- Sec. 108. DOE study and plan for delivery of fuel during pipeline disruptions.

TITLE II—FUEL DEMAND

- Sec. 201. State energy transportation plans.
- Sec. 202. Transportation electrification.
- Sec. 203. Federal fleets.

TITLE III—FUEL SUPPLY

- Sec. 301. Assistance for Western Hemisphere refineries.

1 **TITLE I—PETROLEUM RESERVES**

2 **SEC. 101. ECONOMIC PETROLEUM RESERVE.**

3 (a) ESTABLISHMENT.—Section 154 of the Energy
 4 Policy and Conservation Act (42 U.S.C. 6234) is amended
 5 by adding at the end the following:

6 “(g) ECONOMIC PETROLEUM RESERVE.—

7 “(1) ESTABLISHMENT.—In carrying out sub-
 8 section (b), the Secretary shall establish and main-
 9 tain within the Strategic Petroleum Reserve an Eco-
 10 nomic Petroleum Reserve of up to 350,000,000 bar-
 11 rels of crude oil.

12 “(2) SOURCE.—The Economic Petroleum Re-
 13 serve shall consist of—

14 “(A) 90,000,000 barrels of crude oil that
 15 are stored in the Strategic Petroleum Reserve
 16 on the date of enactment of this subsection, less
 17 any amounts drawn down and sold under sec-
 18 tion 161(k) after such date; and

1 “(B) any crude oil purchased under section
2 160(i).”.

3 (b) PURCHASES.—Section 160 of the Energy Policy
4 and Conservation Act (42 U.S.C. 6240) is amended by
5 adding at the end the following:

6 “(i) PURCHASE OF CRUDE OIL FOR ECONOMIC PE-
7 TROLEUM RESERVE.—

8 “(1) IN GENERAL.—For purposes of section
9 154(g), the Secretary may acquire crude oil under
10 this section only by purchase from domestic pro-
11 ducers for a contract price of not more than \$60 per
12 barrel, in accordance with this subsection.

13 “(2) IMMEDIATE DELIVERY.—The Secretary
14 may enter into a contract under paragraph (1) at
15 any time for immediate delivery of crude oil.

16 “(3) FUTURE DELIVERY.—

17 “(A) AUTHORIZED PERIOD.—During the
18 period that begins on the date of enactment of
19 this subsection and ends on December 31,
20 2024, the Secretary may enter into a contract
21 under paragraph (1) for delivery of crude oil to
22 occur during the period that begins on January
23 1, 2025, and ends on December 31, 2027.

24 “(B) PRIORITY.—In carrying out subpara-
25 graph (A), to the extent there are multiple of-

1 fers for contracts on equivalent terms, the Sec-
2 retary shall give priority to contracts for crude
3 oil produced by wells, including drilled but
4 uncompleted wells, that are minimizing green-
5 house gas emissions from activities at such
6 wells, as determined by the Secretary in con-
7 sultation with the Administrator of the Envi-
8 ronmental Protection Agency.

9 “(4) FUNDING.—The Secretary may enter into
10 a contract under paragraph (1) using amounts de-
11 posited in the SPR Petroleum Account under section
12 167(c)—

13 “(A) that are attributable to covered re-
14 ceipts described in section 167(e)(3)(A); or

15 “(B) that were appropriated for such pur-
16 pose pursuant to section 166.

17 “(5) APPLICABILITY OF CERTAIN CONSIDER-
18 ATIONS.—The objectives described in subsections
19 (b)(4), (c)(2), and (c)(5) shall not apply to the ac-
20 quisition of crude oil pursuant to a contract under
21 paragraph (1).”.

22 (c) DRAWDOWN AND SALE.—Section 161 of the En-
23 ergy Policy and Conservation Act (42 U.S.C. 6241) is
24 amended by adding at the end the following:

1 “(k) DRAWDOWN AND SALE FROM ECONOMIC PE-
2 TROLEUM RESERVE.—

3 “(1) IN GENERAL.—Notwithstanding subsection
4 (d)(1), the Secretary may draw down and sell crude
5 oil from amounts in the Economic Petroleum Re-
6 serve established under section 154(g) at any time
7 the front-month futures price of West Texas Inter-
8 mediate crude oil has remained greater than \$90 per
9 barrel for at least one week.

10 “(2) APPROPRIATIONS.—

11 “(A) STATE ENERGY TRANSPORTATION
12 PLANS.—Notwithstanding section 167, there is
13 appropriated to the Secretary of Energy to
14 carry out section 367 an amount equal to \$9
15 for each barrel of crude oil sold under this sub-
16 section.

17 “(B) PLUG-IN ELECTRIC DRIVE VEHICLE
18 PROGRAM.—Notwithstanding section 167, there
19 is appropriated to the Secretary of Energy to
20 carry out section 131(b) of the Energy Inde-
21 pendence and Security Act of 2007 (42 U.S.C.
22 17011) an amount equal to \$2 for each barrel
23 of crude oil sold under this subsection.

24 “(C) LARGE-SCALE TRANSPORTATION SEC-
25 TOR ELECTRIFICATION PROGRAM.—Notwith-

1 standing section 167, there is appropriated to
 2 the Secretary of Energy to carry out section
 3 131(c) of the Energy Independence and Secu-
 4 rity Act of 2007 (42 U.S.C. 17011) an amount
 5 equal to \$3 for each barrel of crude oil sold
 6 under this subsection.

7 “(D) ASSISTANCE FOR WESTERN HEMI-
 8 SPHERE REFINERIES.—Notwithstanding section
 9 167, there is appropriated to the Secretary of
 10 Energy to carry out section 301 of the Buy
 11 Low and Sell High Act an amount equal to \$1
 12 for each barrel of crude oil sold under this sub-
 13 section.”.

14 **SEC. 102. ESTABLISHING STRATEGIC REFINED PETROLEUM**
 15 **PRODUCT RESERVES.**

16 (a) ESTABLISHMENT.—Title I of the Energy Policy
 17 and Conservation Act (42 U.S.C. 6234) is amended by
 18 adding at the end the following:

19 **“PART E—STRATEGIC REFINED PETROLEUM**
 20 **PRODUCT RESERVES**

21 **“SEC. 191. DEFINITIONS.**

22 “In this part:

23 “(1) DISTRICT.—The term ‘district’ means, as
 24 designated by the Administrator of the Energy In-
 25 formation Administration—

1 “(A) a Petroleum Administration for De-
2 fense District; or

3 “(B) a subdistrict of a Petroleum Adminis-
4 tration for Defense District.

5 “(2) NETWORK.—The term ‘network’ means
6 the network of Strategic Refined Petroleum Product
7 Reserves established under this part.

8 “(3) RESERVE.—The term ‘Reserve’ means a
9 Strategic Refined Petroleum Product Reserve estab-
10 lished under this part.

11 **“SEC. 192. ESTABLISHMENT.**

12 “(a) IN GENERAL.—Notwithstanding any other pro-
13 vision of this Act, the Secretary shall establish, maintain,
14 and operate a national network of Strategic Refined Pe-
15 troleum Product Reserves.

16 “(b) LOCATIONS.—In carrying out subsection (a), the
17 Secretary shall establish, maintain, and operate at least
18 one Reserve in each district.

19 “(c) CAPACITY.—Each Reserve shall have the capaci-
20 ty to contain at least 4,000,000 barrels of gasoline and
21 2,000,000 barrels of diesel fuel, and the network shall
22 have the capacity to contain up to 250,000,000 barrels
23 of gasoline and diesel fuel.

24 “(d) RELATIONSHIP TO SPR AND NORTHEAST HOME
25 HEATING OIL RESERVE.—A Reserve established under

1 this part is not a component of the Strategic Petroleum
2 Reserve established under part B of this title or the
3 Northeast Home Heating Oil Reserve established under
4 part D of this title.

5 **“SEC. 193. AUTHORITY.**

6 “To the extent necessary or appropriate to carry out
7 this part, the Secretary may—

8 “(1) purchase, contract for, lease, or otherwise
9 acquire, in whole or in part, storage and related fa-
10 cilities, and storage services;

11 “(2) use, lease, maintain, sell, or otherwise dis-
12 pose of storage and related facilities acquired under
13 this part;

14 “(3) acquire by purchase, exchange (including
15 exchange of petroleum products from the Strategic
16 Petroleum Reserve or received as royalty from Fed-
17 eral lands), lease, or otherwise, gasoline or diesel
18 fuel for storage in a Reserve;

19 “(4) store gasoline or diesel fuel in facilities not
20 owned by the United States; and

21 “(5) sell, exchange, or otherwise dispose of gas-
22 oline or diesel fuel from a Reserve established under
23 this part, including to maintain the quality or quan-
24 tity of the gasoline or diesel fuel in a Reserve or to
25 maintain the operational capability of a Reserve.

1 **“SEC. 194. CONDITIONS FOR RELEASE.**

2 “(a) GASOLINE RELEASE.—The Secretary may sell
3 gasoline from a Reserve only upon a finding by the Presi-
4 dent that there is a severe gasoline supply interruption
5 within the district in which the Reserve is located. Such
6 a finding may be made only if the President determines
7 that—

8 “(1) a dislocation in the gasoline market has re-
9 sulted from such interruption; or

10 “(2) a circumstance, other than that described
11 in paragraph (1), exists that constitutes a regional
12 gasoline supply shortage of significant scope and du-
13 ration and that action taken under this section
14 would assist directly and significantly in reducing
15 the adverse impact of such shortage.

16 “(b) DIESEL RELEASE.—The Secretary may sell die-
17 sel fuel from a Reserve only upon a finding by the Presi-
18 dent that there is a severe diesel fuel supply interruption
19 within the district in which the Reserve is located. Such
20 a finding may be made only if the President determines
21 that—

22 “(1) a dislocation in the diesel fuel market has
23 resulted from such interruption; or

24 “(2) a circumstance, other than that described
25 in paragraph (1), exists that constitutes a regional
26 diesel fuel supply shortage of significant scope and

1 duration and that action taken under this section
2 would assist directly and significantly in reducing
3 the adverse impact of such shortage.

4 “(c) DEFINITIONS.—For purposes of this section—

5 “(1) the term ‘covered entity’ means—

6 “(A) the People’s Republic of China;

7 “(B) the Democratic People’s Republic of
8 Korea;

9 “(C) the Russian Federation;

10 “(D) the Islamic Republic of Iran;

11 “(E) any other country the government of
12 which is subject to sanctions imposed by the
13 United States; and

14 “(F) any entity owned, controlled, or influ-
15 enced by—

16 “(i) a country referred to in any of
17 subparagraphs (A) through (F); or

18 “(ii) the Chinese Communist Party;

19 “(2) a ‘dislocation in the gasoline market’ shall
20 be deemed to occur only when—

21 “(A) the price differential between crude
22 oil and finished gasoline, as reflected in an in-
23 dustry daily publication, increases by more than
24 50 percent over its 10-year rolling average, and
25 continues for 7 consecutive days; and

1 “(B) the price differential continues to in-
2 crease during the most recent week for which
3 price information is available; and

4 “(3) a ‘dislocation in the diesel fuel market’
5 shall be deemed to occur only when—

6 “(A) the price differential between crude
7 oil and diesel fuel, as reflected in an industry
8 daily publication, increases by more than 50
9 percent over its 10-year rolling average, and
10 continues for 7 consecutive days; and

11 “(B) the price differential continues to in-
12 crease during the most recent week for which
13 price information is available.

14 “(d) CONTINUING EVALUATION.—The Secretary
15 shall conduct a continuing evaluation of the price data
16 supplied by the Energy Information Administration and
17 data on gasoline and diesel fuel prices from published
18 sources.

19 “(e) RELEASE OF PETROLEUM PRODUCTS.—After
20 consultation with the gasoline, diesel fuel, and crude oil
21 refining industries, the Secretary shall determine proce-
22 dures governing the release of gasoline and diesel fuel
23 from a Reserve. The procedures shall provide that—

24 “(1) the Secretary may—

1 “(A) sell gasoline or diesel fuel from a Re-
2 serve through a competitive process; or

3 “(B) enter into exchange agreements for
4 gasoline or diesel fuel that results in the Sec-
5 retary receiving a greater volume of gasoline or
6 diesel fuel as repayment than the volume pro-
7 vided to the acquirer;

8 “(2) in all such sales or exchanges, the Sec-
9 retary shall receive revenue or its equivalent in gaso-
10 line or diesel fuel that provides the Department with
11 fair market value;

12 “(3) the Secretary shall only sell or dispose of
13 the gasoline or diesel fuel in the Reserve to entities
14 customarily engaged in the sale and distribution of
15 gasoline or diesel fuel; and

16 “(4) the Secretary shall prohibit the sale or ex-
17 port of gasoline or diesel fuel released under this
18 section to a covered entity, except that the Secretary
19 may issue a waiver of such prohibition if the Sec-
20 retary certifies that any export or sale authorized
21 pursuant to the waiver is in the national security in-
22 terests of the United States.

23 “(f) PLAN.—Not later than 180 days after the date
24 of the enactment of this section, the Secretary shall trans-

1 mit to the President and, if the President approves, to
2 the Congress a plan describing—

3 “(1) the acquisition of storage and related fa-
4 cilities or storage services for the network, including
5 the potential use of storage facilities not currently in
6 use;

7 “(2) the acquisition of gasoline and diesel fuel
8 for storage in the network;

9 “(3) the anticipated methods of disposition of
10 gasoline and diesel fuel from the network;

11 “(4) the estimated costs of establishment, main-
12 tenance, and operation of the network;

13 “(5) efforts the Department will take to mini-
14 mize any potential need for future drawdowns and
15 ensure that distributors and importers are not dis-
16 couraged from maintaining and increasing supplies
17 to the United States; and

18 “(6) actions to ensure quality of the gasoline
19 and diesel fuel in the network.

20 **“SEC. 195. PROCEEDS FROM SALES.**

21 “The Secretary of the Treasury shall deposit in the
22 SPR Petroleum Account established in the Treasury
23 under section 167 any receipts from the sale, exchange,
24 or other disposition of gasoline or diesel fuel from the net-
25 work.

1 **“SEC. 196. RESTRICTIONS.**

2 “(a) SOURCE.—No gasoline or diesel fuel produced
3 at a refinery located outside of the United States may be
4 stored in a Reserve.

5 “(b) TIMING.—The Secretary may not purchase gas-
6 oline or diesel fuel under this part until 2026.”.

7 (b) CONFORMING AMENDMENTS.—

8 (1) AUTHORIZATION OF APPROPRIATIONS.—

9 Section 166 of the Energy Policy and Conservation
10 Act (42 U.S.C. 6246) is amended by striking “and
11 part D” and inserting “, part D, and part E”.

12 (2) CLERICAL AMENDMENT.—The table of con-
13 tents for the Energy Policy and Conservation Act is
14 amended in the matter relating to title I by striking
15 the items relating to the second part D (relating to
16 Expiration) and the second section 181 and insert-
17 ing the following:

“PART E—STRATEGIC REFINED PETROLEUM PRODUCT RESERVES

“Sec. 191. Definitions.

“Sec. 192. Establishment.

“Sec. 193. Authority.

“Sec. 194. Conditions for release.

“Sec. 195. Proceeds from sales.

“Sec. 196. Restrictions.”.

18 **SEC. 103. NORTHEAST HOME HEATING OIL RESERVE.**

19 (a) STRENGTHENING THE NORTHEAST HOME HEAT-
20 ING OIL RESERVE.—Section 181(a) of the Energy Policy
21 and Conservation Act (42 U.S.C. 6250) is amended by
22 striking “2 million” and inserting “4 million”.

1 (b) CONDITIONS FOR RELEASE.—Section 183 of the
2 Energy Policy and Conservation Act (42 U.S.C. 6250b)
3 is amended—

4 (1) in subsection (b)—

5 (A) in the subsection heading, by striking
6 “DEFINITION” and inserting “DEFINITIONS”;

7 (B) by redesignating paragraphs (1) and
8 (2) as subparagraphs (A) and (B), respectively
9 (and adjusting the margins accordingly); and

10 (C) by striking “For purposes of this sec-
11 tion a ‘dislocation in the heating oil market’ ”
12 and inserting the following: “For purposes of
13 this section—

14 “(1) the term ‘covered entity’ means—

15 “(A) the People’s Republic of China;

16 “(B) the Democratic People’s Republic of
17 Korea;

18 “(C) the Russian Federation;

19 “(D) the Islamic Republic of Iran;

20 “(E) any other country the government of
21 which is subject to sanctions imposed by the
22 United States; and

23 “(F) any entity owned, controlled, or influ-
24 enced by—

1 “(i) a country referred to in any of
2 subparagraphs (A) through (F); or

3 “(ii) the Chinese Communist Party;
4 and

5 “(2) a ‘dislocation in the heating oil market’”;
6 and

7 (2) in subsection (d)—

8 (A) in paragraph (2), by striking “; and”
9 and inserting a semicolon;

10 (B) in paragraph (3), by striking the pe-
11 riod at the end and inserting “; and”; and

12 (C) by adding at the end the following:

13 “(4) the Secretary shall prohibit the sale or ex-
14 port of petroleum distillate released under this sec-
15 tion to a covered entity, except that the Secretary
16 may issue a waiver of such prohibition if the Sec-
17 retary certifies that any export or sale authorized
18 pursuant to the waiver is in the national security in-
19 terests of the United States.”.

20 (c) PROCEEDS FROM SALES.—

21 (1) IN GENERAL.—Section 184 of the Energy
22 Policy and Conservation Act (42 U.S.C. 6250c) is
23 amended to read as follows:

1 **“SEC. 184. PROCEEDS FROM SALES.**

2 “The Secretary of the Treasury shall deposit in the
3 SPR Petroleum Account established in the Treasury
4 under section 167 any receipts from the sale, exchange,
5 or other disposition of petroleum distillate from the Re-
6 serve.”.

7 (2) CLERICAL AMENDMENT.—The table of con-
8 tents for the Energy Policy and Conservation Act is
9 amended by striking the item relating to section 184
10 and inserting the following:

“184. Proceeds from sales.”.

11 (d) ELIMINATION OF LIMITATION.—Title III of the
12 Energy and Water Development and Related Agencies Ap-
13 propriations Act, 2012 (division B of the Consolidated Ap-
14 propriations Act, 2012 (Public Law 112–74; 125 Stat.
15 869)), is amended, under the Northeast Home Heating
16 Oil Reserve account, by striking “: *Provided further*, That
17 notwithstanding section 181 of the Energy Policy and
18 Conservation Act (42 U.S.C. 6250), for fiscal year 2012
19 and hereafter, the Reserve shall contain no more than 1
20 million barrels of petroleum distillate”.

21 **SEC. 104. SPR PETROLEUM ACCOUNT.**

22 (a) IN GENERAL.—Section 167 of the Energy Policy
23 and Conservation Act (42 U.S.C. 6247) is amended—

24 (1) in subsection (b)—

1 (A) by striking “the acquisition, transpor-
2 tation, and injection of petroleum products into
3 the Strategic Petroleum Reserve, for test sales
4 of petroleum products from the Reserve, and
5 for the drawdown, sale, and delivery of petro-
6 leum products from the Reserve” and inserting
7 “covered activities”; and

8 (B) in paragraph (3), by striking “the re-
9 cepts to the United States from the sale of pe-
10 troleum products in any drawdown and dis-
11 tribution of the Strategic Petroleum Reserve
12 under section 161, including a drawdown and
13 distribution carried out under subsection (g) of
14 such section, or from the sale of petroleum
15 products under section 160(f)” and inserting
16 “covered receipts”;

17 (2) in subsection (d), by striking “the sale of
18 petroleum products in any drawdown and distribu-
19 tion of the Strategic Petroleum Reserve under sec-
20 tion 161, including a drawdown and distribution car-
21 ried out under subsection (g) of such section, and
22 from the sale of petroleum products under section
23 160(f)” and inserting “covered sales”; and

24 (3) by adding at the end the following:

25 “(e) DEFINITIONS.—In this section:

1 “(1) COVERED ACTIVITY.—The term ‘covered
2 activity’ means—

3 “(A) the acquisition, transportation, and
4 injection of petroleum products into the Stra-
5 tegic Petroleum Reserve;

6 “(B) the sale of petroleum products in any
7 drawdown and distribution of the Strategic Pe-
8 troleum Reserve under section 161, including a
9 drawdown and distribution carried out under
10 subsection (g) of such section;

11 “(C) the sale of petroleum products under
12 section 160(f);

13 “(D) an activity under part D; and

14 “(E) an activity under part E.

15 “(2) COVERED SALE.—The term ‘covered sale’
16 means—

17 “(A) the sale of petroleum products in any
18 drawdown and distribution of the Strategic Pe-
19 troleum Reserve under section 161, including a
20 drawdown and distribution carried out under
21 subsection (g) of such section;

22 “(B) the sale of petroleum products under
23 section 160(f);

1 “(C) the sale, exchange, or other disposi-
2 tion of petroleum distillate from the Northeast
3 Home Heating Oil Reserve; and

4 “(D) the sale, exchange, or other disposi-
5 tion of gasoline or diesel fuel from a Strategic
6 Refined Petroleum Product Reserve.

7 “(3) COVERED RECEIPTS.—The term ‘covered
8 receipts’ means—

9 “(A) receipts to the United States from
10 the sale of petroleum products in any drawdown
11 and distribution of the Strategic Petroleum Re-
12 serve under section 161 (including a drawdown
13 and distribution carried out under subsection
14 (g) of such section), less amounts equal to any
15 amounts appropriated by subsection (k)(2) of
16 such section;

17 “(B) receipts to the United States from
18 the sale of petroleum products under section
19 160(f);

20 “(C) receipts to the United States from
21 the sale, exchange, or other disposition of petro-
22 leum distillate from the Northeast Home Heat-
23 ing Oil Reserve; and

24 “(D) receipts to the United States from
25 the sale, exchange, or other disposition of gaso-

1 line or diesel fuel from a Strategic Refined Pe-
2 troleum Product Reserve.”.

3 (b) TRANSFER OF FUNDS.—The assets and liabilities
4 of the Northeast Home Heating Oil Reserve Account es-
5 tablished in the Treasury under section 184 of the Energy
6 Policy and Conservation Act (42 U.S.C. 6250e), as in ef-
7 fect on the day before the date of enactment of this Act,
8 are hereby transferred to the SPR Petroleum Account es-
9 tablished in the Treasury under section 167 of the Energy
10 Policy and Conservation Act (42 U.S.C. 6247), and such
11 Northeast Home Heating Oil Reserve Account is hereby
12 abolished.

13 **SEC. 105. PROHIBITION ON CERTAIN EXPORTS.**

14 (a) IN GENERAL.—The Energy Policy and Conserva-
15 tion Act is amended by inserting after section 163 (42
16 U.S.C. 6243) the following:

17 **“SEC. 164. PROHIBITION ON CERTAIN EXPORTS.**

18 “(a) IN GENERAL.—The Secretary shall prohibit the
19 export or sale of petroleum products drawn down from the
20 Strategic Petroleum Reserve, under any provision of law,
21 to—

22 “(1) the People’s Republic of China;

23 “(2) the Democratic People’s Republic of
24 Korea;

25 “(3) the Russian Federation;

1 “(4) the Islamic Republic of Iran;

2 “(5) any other country the government of which
3 is subject to sanctions imposed by the United States;
4 and

5 “(6) any entity owned, controlled, or influenced
6 by—

7 “(A) a country referred to in any of para-
8 graphs (1) through (5); or

9 “(B) the Chinese Communist Party.

10 “(b) WAIVER.—The Secretary may issue a waiver of
11 the prohibition described in subsection (a) if the Secretary
12 certifies that any export or sale authorized pursuant to
13 the waiver is in the national security interests of the
14 United States.

15 “(c) RULE.—Not later than 60 days after the date
16 of enactment of the Buy Low and Sell High Act, the Sec-
17 retary shall issue a rule to carry out this section.”.

18 (b) CONFORMING AMENDMENTS.—

19 (1) DRAWDOWN AND SALE OF PETROLEUM
20 PRODUCTS.—Section 161(a) of the Energy Policy
21 and Conservation Act (42 U.S.C. 6241(a)) is
22 amended by inserting “and section 164” before the
23 period at the end.

24 (2) CLERICAL AMENDMENT.—The table of con-
25 tents for the Energy Policy and Conservation Act is

1 amended by inserting after the item relating to sec-
2 tion 163 the following:

“Sec. 164. Prohibition on certain exports.”.

3 **SEC. 106. STRATEGIC PETROLEUM RESERVE REFORMS.**

4 (a) USE OF UNDERUTILIZED STRATEGIC PETRO-
5 LEUM RESERVE FACILITIES.—Section 168 of the Energy
6 Policy and Conservation Act (42 U.S.C. 6247a) is amend-
7 ed to read as follows:

8 **“SEC. 168. USE OF UNDERUTILIZED FACILITIES.**

9 “(a) AUTHORITY.—Notwithstanding any other provi-
10 sion of this title, the Secretary may establish and carry
11 out a program to lease underutilized Strategic Petroleum
12 Reserve storage facilities and related facilities to the pri-
13 vate sector, or a foreign government or its representative.
14 Petroleum products stored under this section are not part
15 of the Strategic Petroleum Reserve.

16 “(b) PROTECTION OF FACILITIES.—Any lease en-
17 tered into under the program established under subsection
18 (a) shall contain provisions providing for fees to fully com-
19 pensate the United States for all related costs of storage
20 and removals of petroleum products (including the propor-
21 tionate cost of replacement facilities necessitated as a re-
22 sult of any withdrawals) incurred by the United States
23 as a result of such lease.

24 “(c) ACCESS BY THE UNITED STATES.—The Sec-
25 retary shall ensure that leasing of facilities under the pro-

1 gram established under subsection (a) does not impair the
2 ability of the United States to withdraw, distribute, or sell
3 petroleum products from the Strategic Petroleum Reserve
4 in response to an energy emergency or to the obligations
5 of the United States under the Agreement on an Inter-
6 national Energy Program.

7 “(d) NATIONAL SECURITY.—The Secretary shall en-
8 sure that leasing of facilities under the program estab-
9 lished under subsection (a) to a foreign government or its
10 representative will not impair national security.

11 “(e) DEPOSITS OF AMOUNTS RECEIVED.—

12 “(1) IN GENERAL.—Except as provided in para-
13 graph (2), amounts received through the leasing of
14 facilities under the program established under sub-
15 section (a) shall be deposited in the SPR Petroleum
16 Account established in the Treasury under section
17 167 during the fiscal year in which such amounts
18 are received.

19 “(2) COSTS.—The Secretary may use for costs
20 described in subsection (b) (other than costs de-
21 scribed in subsection (f)), without further appropria-
22 tion, amounts received through the leasing of facili-
23 ties under the program established under subsection
24 (a).

1 “(f) PREPARATION OF FACILITIES.—The Secretary
2 shall only use amounts available in the Energy Security
3 and Infrastructure Modernization Fund established by
4 section 404 of the Bipartisan Budget Act of 2015 for costs
5 described in subsection (b) of this section that relate to
6 addition of facilities or changes to facilities or facility op-
7 erations necessary to lease such facilities, including costs
8 related to acquisition of land, acquisition of ancillary fa-
9 cilities and equipment, and site development, and other
10 necessary costs related to capital improvement.”.

11 (b) PILOT PROGRAM TO LEASE STRATEGIC PETRO-
12 LEUM RESERVES.—

13 (1) IN GENERAL.—Part B of title I of the En-
14 ergy Policy and Conservation Act (42 U.S.C. 6231
15 et seq.) is amended by adding at the end the fol-
16 lowing:

17 **“SEC. 170. PILOT PROGRAM TO LEASE STORAGE AND RE-**
18 **LATED FACILITIES.**

19 “(a) ESTABLISHMENT.—In carrying out section 168
20 and not later than 180 days after the date of enactment
21 of this section, the Secretary shall establish and carry out
22 a pilot program to make available for lease—

23 “(1) capacity for storage of up to 200,000,000
24 barrels of petroleum products at Strategic Petroleum
25 Reserve storage facilities; and

1 “(2) related facilities.

2 “(b) CONTENTS.—In carrying out the pilot program
3 established under subsection (a), the Secretary shall—

4 “(1) identify appropriate Strategic Petroleum
5 Reserve storage facilities and related facilities to
6 lease, in order to make maximum use of such facili-
7 ties;

8 “(2) identify and implement any changes to fa-
9 cilities or facility operations necessary to so lease
10 such facilities, including any such changes necessary
11 to ensure the long-term structural viability and use
12 of the facilities for purposes of this part and part C;

13 “(3) make such facilities available for lease; and

14 “(4) identify environmental effects, including
15 benefits, of leasing storage facilities and related fa-
16 cilities.

17 “(c) REPORT.—Not later than 1 year after the date
18 of enactment of this section, the Secretary shall submit
19 to Congress a report on the status of the pilot program
20 established under subsection (a).”.

21 (2) CONFORMING AMENDMENT.—The table of
22 contents for the Energy Policy and Conservation Act
23 is amended by adding after the item relating to sec-
24 tion 169 the following:

“Sec. 170. Pilot program to lease storage and related facilities.”.

1 **SEC. 107. STRATEGIC PETROLEUM RESERVE DRAWDOWN**
2 **AND SALE.**

3 (a) RECONCILIATION ON THE BUDGET FOR FISCAL
4 YEAR 2018.—Section 20003(a) of Public Law 115–97
5 (131 Stat. 2237) is amended—

6 (1) in paragraph (1), by striking “during the
7 period of fiscal years 2026 through 2027” and in-
8 serting “by the end of fiscal year 2027”; and

9 (2) by adding at the end the following:

10 “(3) TIMING.—In determining the timing of
11 each drawdown and sale from the Strategic Petro-
12 leum Reserve under this section, to the maximum
13 extent practicable, the Secretary shall maximize the
14 financial return to the United States taxpayers.”.

15 (b) AMERICA’S WATER INFRASTRUCTURE ACT OF
16 2018.—Section 3009(a) of America’s Water Infrastruc-
17 ture Act of 2018 (Public Law 115–270; 132 Stat. 3870)
18 is amended—

19 (1) in paragraph (1), by striking “during” and
20 inserting “by the end of”; and

21 (2) by adding at the end the following:

22 “(3) TIMING.—In determining the timing of
23 each drawdown and sale from the Strategic Petro-
24 leum Reserve under this section, to the maximum
25 extent practicable, the Secretary shall maximize the
26 financial return to the United States taxpayers.”.

1 (c) INFRASTRUCTURE INVESTMENT AND JOBS
2 ACT.—Section 90002(a) of the Infrastructure Investment
3 and Jobs Act (Public Law 117–58; 135 Stat. 1342) is
4 amended—

5 (1) in paragraph (1), by striking “during the
6 period of fiscal years 2028 through 2031” and in-
7 serting “by the end of fiscal year 2032”; and

8 (2) by amending paragraph (2) to read as fol-
9 lows:

10 “(2) TIMING.—In determining the timing of
11 each drawdown and sale from the Strategic Petro-
12 leum Reserve under this section, to the maximum
13 extent practicable, the Secretary shall maximize the
14 financial return to the United States taxpayers.”.

15 **SEC. 108. DOE STUDY AND PLAN FOR DELIVERY OF FUEL**
16 **DURING PIPELINE DISRUPTIONS.**

17 Not later than 24 months after the date of enactment
18 of this Act, the Secretary of Energy shall—

19 (1) conduct a study on how the Department of
20 Energy could deliver products sold from the Stra-
21 tegic Petroleum Reserve, a Strategic Refined Petro-
22 leum Product Reserve, or the Northeast Home
23 Heating Oil Reserve in the event of an attack or dis-
24 ruption that renders pipelines to deliver such prod-
25 ucts unusable; and

1 (2) submit to Congress a plan, based on the re-
2 sults of such study, to carry out such delivery.

3 **TITLE II—FUEL DEMAND**

4 **SEC. 201. STATE ENERGY TRANSPORTATION PLANS.**

5 (a) STATE ENERGY TRANSPORTATION PLANS.—

6 (1) IN GENERAL.—Part D of title III of the
7 Energy Policy and Conservation Act (42 U.S.C.
8 6321 et seq.) is amended by adding at the end the
9 following:

10 **“SEC. 367. STATE ENERGY TRANSPORTATION PLANS.**

11 “(a) IN GENERAL.—The Secretary may provide fi-
12 nancial assistance to a State to develop a State energy
13 transportation plan, for inclusion in a State energy con-
14 servation plan under section 362(d), to promote the elec-
15 trification of the transportation system, reduced consump-
16 tion of fossil fuels, and improved air quality.

17 “(b) DEVELOPMENT.—A State developing a State en-
18 ergy transportation plan under this section shall carry out
19 this activity through the State energy office that is respon-
20 sible for developing the State energy conservation plan
21 under section 362.

22 “(c) CONTENTS.—A State developing a State energy
23 transportation plan under this section shall include in such
24 plan a plan to—

1 “(1) deploy a network of electric vehicle supply
2 equipment to ensure access to electricity for electric
3 vehicles, including commercial vehicles, to an extent
4 that such electric vehicles can travel throughout the
5 State without running out of a charge;

6 “(2) promote modernization of the electric grid,
7 including through the use of renewable energy
8 sources to power the electric grid, to accommodate
9 demand for power to operate electric vehicle supply
10 equipment and to utilize energy storage capacity
11 provided by electric vehicles, including commercial
12 vehicles; and

13 “(3) implement other measures to reduce the
14 consumption of petroleum-based fuels.

15 “(d) COORDINATION.—In developing a State energy
16 transportation plan under this section, a State shall co-
17 ordinate, as appropriate, with—

18 “(1) State regulatory authorities (as defined in
19 section 3 of the Public Utility Regulatory Policies
20 Act of 1978 (16 U.S.C. 2602));

21 “(2) electric utilities;

22 “(3) regional transmission organizations or
23 independent system operators;

24 “(4) private entities that provide electric vehicle
25 charging services;

1 “(5) State transportation agencies, metropoli-
2 tan planning organizations, and local governments;

3 “(6) electric vehicle manufacturers;

4 “(7) public and private entities that manage ve-
5 hicle fleets; and

6 “(8) public and private entities that manage
7 ports, airports, or other transportation hubs.

8 “(e) TECHNICAL ASSISTANCE.—Upon request of the
9 Governor of a State, the Secretary shall provide informa-
10 tion and technical assistance in the development, imple-
11 mentation, or revision of a State energy transportation
12 plan.

13 “(f) ELECTRIC VEHICLE SUPPLY EQUIPMENT DE-
14 FINED.—For purposes of this section, the term ‘electric
15 vehicle supply equipment’ means conductors, including
16 ungrounded, grounded, and equipment grounding conduc-
17 tors, electric vehicle connectors, attachment plugs, and all
18 other fittings, devices, power outlets, or apparatuses in-
19 stalled specifically for the purpose of delivering energy to
20 an electric vehicle.”.

21 (2) CONFORMING AMENDMENT.—The table of
22 sections for part D of title III of the Energy Policy
23 and Conservation Act is amended by adding at the
24 end the following:

“Sec. 367. State energy transportation plans.”.

1 (b) STATE ENERGY CONSERVATION PLANS.—Section
2 362(d) of the Energy Policy and Conservation Act (42
3 U.S.C. 6322(d)) is amended—

4 (1) in paragraph (17), by striking “; and” and
5 inserting a semicolon;

6 (2) by redesignating paragraph (18) as para-
7 graph (19); and

8 (3) by inserting after paragraph (17) the fol-
9 lowing:

10 “(18) a State energy transportation plan devel-
11 oped in accordance with section 367; and”.

12 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
13 365(f) of the Energy Policy and Conservation Act (42
14 U.S.C. 6325(f)) is amended by adding at the end the fol-
15 lowing:

16 “(3) STATE ENERGY TRANSPORTATION
17 PLANS.—In addition to the amounts authorized
18 under paragraph (1), for the purpose of carrying out
19 section 367, there are authorized to be appropriated
20 such sums as may be necessary.”.

21 **SEC. 202. TRANSPORTATION ELECTRIFICATION.**

22 Section 131 of the Energy Independence and Security
23 Act of 2007 (42 U.S.C. 17011) is amended—

24 (1) in subsection (a)(6)—

1 (A) in subparagraph (A), by inserting “,
2 including ground support equipment at ports”
3 before the semicolon;

4 (B) in subparagraph (E), by inserting
5 “and vehicles” before the semicolon;

6 (C) in subparagraph (H), by striking
7 “and” at the end;

8 (D) in subparagraph (I)—

9 (i) by striking “battery chargers,”;
10 and

11 (ii) by striking the period at the end
12 and inserting a semicolon; and

13 (E) by adding at the end the following:

14 “(J) installation of electric vehicle supply
15 equipment for recharging plug-in electric drive
16 vehicles, including such equipment that is acces-
17 sible in rural and urban areas and in under-
18 served or disadvantaged communities and such
19 equipment for medium- and heavy-duty vehicles,
20 including at depots and in-route locations;

21 “(K) multi-use charging hubs used for
22 multiple forms of transportation;

23 “(L) medium- and heavy-duty vehicle
24 smart charging management and refueling;

1 “(M) battery recycling and secondary use,
2 including for medium- and heavy-duty vehicles;
3 and

4 “(N) sharing of best practices, and tech-
5 nical assistance provided by the Department to
6 public utilities commissions and utilities, for
7 medium- and heavy-duty vehicle electrifica-
8 tion.”;

9 (2) in subsection (b)—

10 (A) in paragraph (3)(A)(ii), by inserting “,
11 components for such vehicles, and charging
12 equipment for such vehicles” after “vehicles”;
13 and

14 (B) in paragraph (6), by striking
15 “\$90,000,000 for each of fiscal years 2008
16 through 2012” and inserting “such sums as
17 may be necessary”;

18 (3) in subsection (c)—

19 (A) in the header, by striking “NEAR-
20 TERM” and inserting “LARGE-SCALE”; and

21 (B) in paragraph (4), by striking
22 “\$95,000,000 for each of fiscal years 2008
23 through 2013” and inserting “such sums as
24 may be necessary”; and

1 (4) by redesignating subsection (d) as sub-
2 section (e) and inserting after subsection (e) the fol-
3 lowing:

4 “(d) PRIORITY.—In providing grants under sub-
5 sections (b) and (c), the Secretary shall give priority con-
6 sideration to applications that contain a written assurance
7 that all laborers and mechanics employed by contractors
8 or subcontractors during construction, alteration, or re-
9 pair that is financed, in whole or in part, by a grant pro-
10 vided under this section shall be paid wages at rates not
11 less than those prevailing on similar construction in the
12 locality, as determined by the Secretary of Labor in ac-
13 cordance with sections 3141 through 3144, 3146, and
14 3147 of title 40, United States Code (and the Secretary
15 of Labor shall, with respect to the labor standards de-
16 scribed in this clause, have the authority and functions
17 set forth in Reorganization Plan Numbered 14 of 1950
18 (5 U.S.C. App.) and section 3145 of title 40, United
19 States Code).”.

20 **SEC. 203. FEDERAL FLEETS.**

21 (a) MINIMUM FEDERAL FLEET REQUIREMENT.—
22 Section 303 of the Energy Policy Act of 1992 (42 U.S.C.
23 13212) is amended—

24 (1) in subsection (a), by adding at the end the
25 following:

1 “(3) The Secretary, in consultation with the Adminis-
2 trator of General Services, shall ensure that in acquiring
3 medium- and heavy-duty vehicles for a Federal fleet, a
4 Federal entity shall acquire zero-emission vehicles to the
5 maximum extent feasible.”;

6 (2) by striking subsection (b) and inserting the
7 following:

8 “(b) PERCENTAGE REQUIREMENTS.—

9 “(1) IN GENERAL.—

10 “(A) LIGHT-DUTY VEHICLES.—Beginning
11 in fiscal year 2026, 100 percent of the total
12 number of light-duty vehicles acquired by a
13 Federal entity for a Federal fleet shall be alter-
14 native fueled vehicles, of which—

15 “(i) at least 50 percent shall be zero-
16 emission vehicles or plug-in hybrids in fis-
17 cal years 2026 through 2034;

18 “(ii) at least 75 percent shall be zero-
19 emission vehicles or plug-in hybrids in fis-
20 cal years 2035 through 2049; and

21 “(iii) 100 percent shall be zero-emis-
22 sion vehicles in fiscal year 2050 and there-
23 after.

24 “(B) MEDIUM- AND HEAVY-DUTY VEHI-
25 CLES.—The following percentages of the total

1 number of medium- and heavy-duty vehicles ac-
2 quired by a Federal entity for a Federal fleet
3 shall be alternative fueled vehicles:

4 “(i) At least 20 percent in fiscal years
5 2026 through 2029.

6 “(ii) At least 30 percent in fiscal
7 years 2030 through 2039.

8 “(iii) At least 40 percent in fiscal
9 years 2040 through 2049.

10 “(iv) At least 50 percent in fiscal year
11 2050 and thereafter.

12 “(2) EXCEPTION.—The Secretary, in consulta-
13 tion with the Administrator of General Services
14 where appropriate, may permit a Federal entity to
15 acquire for a Federal fleet a smaller percentage than
16 is required in paragraph (1) for a fiscal year, so long
17 as the aggregate percentage acquired for each class
18 of vehicle for all Federal fleets in the fiscal year is
19 at least equal to the required percentage.

20 “(3) DEFINITIONS.—In this subsection:

21 “(A) FEDERAL FLEET.—The term ‘Fed-
22 eral fleet’ means a fleet of vehicles that are cen-
23 trally fueled or capable of being centrally fueled
24 and are owned, operated, leased, or otherwise
25 controlled by or assigned to any Federal execu-

1 tive department, military department, Govern-
2 ment corporation, independent establishment,
3 or executive agency, the United States Postal
4 Service, the Congress, the courts of the United
5 States, or the Executive Office of the President.

6 Such term does not include—

7 “(i) motor vehicles held for lease or
8 rental to the general public;

9 “(ii) motor vehicles used for motor ve-
10 hicle manufacturer product evaluations or
11 tests;

12 “(iii) law enforcement vehicles;

13 “(iv) emergency vehicles; or

14 “(v) motor vehicles acquired and used
15 for military purposes that the Secretary of
16 Defense has certified to the Secretary must
17 be exempt for national security reasons.

18 “(B) FLEET.—The term ‘fleet’ means—

19 “(i) 20 or more light-duty vehicles, lo-
20 cated in a metropolitan statistical area or
21 consolidated metropolitan statistical area,
22 as established by the Bureau of the Cen-
23 sus, with a 1980 population of more than
24 250,000; or

1 “(ii) 10 or more medium- or heavy-
2 duty vehicles, located at a Federal facility
3 or located in a metropolitan statistical area
4 or consolidated metropolitan statistical
5 area, as established by the Bureau of the
6 Census, with a 1980 population of more
7 than 250,000.”; and

8 (3) in subsection (f)(2)(B)—

9 (A) by striking “, either”; and

10 (B) in clause (i), by striking “or” and in-
11 serting “and”.

12 (b) FEDERAL FLEET CONSERVATION REQUIRE-
13 MENTS.—Section 400FF(a) of the Energy Policy and
14 Conservation Act (42 U.S.C. 6374e) is amended—

15 (1) in paragraph (1)—

16 (A) by striking “18 months after the date
17 of enactment of this section” and inserting “12
18 months after the date of enactment of the Buy
19 Low and Sell High Act”;

20 (B) by striking “2010” and inserting
21 “2023”; and

22 (C) by striking “and increase alternative
23 fuel consumption” and inserting “, increase al-
24 ternative fuel consumption, and reduce vehicle
25 greenhouse gas emissions”; and

1 (2) by striking paragraph (2) and inserting the
2 following:

3 “(2) GOALS.—The goals of the requirements
4 under paragraph (1) are that each Federal agency
5 shall—

6 “(A) reduce fleet-wide per-mile greenhouse
7 gas emissions from agency fleet vehicles, rel-
8 ative to a baseline of emissions in 2015, by—

9 “(i) not less than 30 percent by the
10 end of fiscal year 2026;

11 “(ii) not less than 50 percent by the
12 end of fiscal year 2030; and

13 “(iii) 100 percent by the end of fiscal
14 year 2050; and

15 “(B) increase the annual percentage of al-
16 ternative fuel consumption by agency fleet vehi-
17 cles as a proportion of total annual fuel con-
18 sumption by Federal fleet vehicles, to achieve—

19 “(i) 25 percent of total annual fuel
20 consumption that is alternative fuel by the
21 end of fiscal year 2026;

22 “(ii) 50 percent of total annual fuel
23 consumption that is alternative fuel by the
24 end of fiscal year 2035; and

1 “(iii) at least 85 percent of total an-
2 nual fuel consumption that is alternative
3 fuel by the end of fiscal year 2050.”.

4 **TITLE III—FUEL SUPPLY**

5 **SEC. 301. ASSISTANCE FOR WESTERN HEMISPHERE REFIN-** 6 **ERIES.**

7 (a) ESTABLISHMENT.—The Secretary of Energy
8 shall establish and carry out a program to increase the
9 amount of crude oil refined in oil refineries located in cov-
10 ered countries by—

11 (1) developing, producing, or procuring re-
12 sources, materials, or equipment that can be used at
13 such oil refineries to increase the amount of crude
14 oil refined at such oil refineries;

15 (2) providing to covered entities, under such
16 terms and conditions as the Secretary of Energy de-
17 termines appropriate, resources, materials, or equip-
18 ment that can be used at such oil refineries to in-
19 crease the amount of crude oil refined at such oil re-
20 fineries;

21 (3) issuing grants, loans, or loan guarantees to
22 covered entities, under such terms and conditions as
23 the Secretary of Energy determines appropriate, to
24 carry out projects in covered countries that can in-

1 crease the amount of crude oil refined in such oil re-
2 fineries; and

3 (4) providing technical assistance to covered en-
4 tities, as the Secretary of Energy determines nec-
5 essary to increase the amount of crude oil refined in
6 such oil refineries.

7 (b) PARTNERSHIPS.—The Secretary of Energy may
8 partner with other Federal agencies to carry out the pro-
9 gram established under subsection (a).

10 (c) AUTHORITY TO ENTER INTO AGREEMENTS.—In
11 carrying out the program established under subsection (a),
12 the Secretary of Energy may enter into one or more agree-
13 ments directly with third parties under such terms and
14 conditions as the Secretary of Energy determines appro-
15 priate.

16 (d) DEFINITIONS.—In this section:

17 (1) COVERED COUNTRY.—The term “covered
18 country” means a foreign country located in the
19 Western Hemisphere, other than Venezuela, with re-
20 spect to which the Secretary of State, in consulta-
21 tion with the Secretary of Defense and the Secretary
22 of Energy, determines that increased crude oil refin-
23 ing in that country would promote the national secu-
24 rity and economic interests of the United States.

1 (2) COVERED ENTITY.—The term “covered en-
2 tity” means a covered country or a third party that
3 owns or operates an oil refinery located in a covered
4 country.

5 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
6 authorized to be appropriated to the Secretary of Energy
7 to carry out this section \$90,000,000 for fiscal year 2024,
8 to remain available until September 30, 2026.

○